

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICK MICHAEL FOSTER

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 2:07-cv-326

CRIM. NO. 2:05-cr-00060

JUDGE MARBLEY

OPINION AND ORDER

On June 6, 2007, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings in the United States District Courts recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were specifically advised of the right to object to the Magistrate Judge's *Report and Recommendation* and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action hereby is **DISMISSED**.

IT IS SO ORDERED.

s/Algenon L. Marbley

ALGENON L. MARBLEY
United States District Judge